

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

The plaintiffs initiated the above-entitled action against Pizza Hut of America, Inc. on May 5, 2006. On July 18, 2006, the parties filed a Stipulation wherein they agreed that NPC International, Inc., would be substituted as the defendant in the above-entitled action in place of Pizza Hut of America, Inc., that NPC International, Inc. would waive service of process in the above-entitled action and answer or otherwise respond to the plaintiff's complaint by July 21, 2006, and that Pizza Hut of America, Inc., could be dismissed as a defendant.

The court **ADOPTS** the parties Stipulation (Docket No. 6). NPC International, Inc. shall be substituted for Pizza Hut of America, Inc. as the defendant in this action. The caption has been amended to reflect this change. Pizza Hut International, Inc. is dismissed as a defendant in this action without costs to any party. NPC International, Inc. shall file an answer or otherwise respond to the plaintiff's complaint by July 21, 2006.

## IT IS SO ORDERED.

/s/ Charles S. Miller, Jr.  
Charles S. Miller, Jr.  
United States Magistrate Judge